

REMARKS

The Examiner's action of December 1, 2005 is noted in which the claims are variously rejected under 35 USC 112 and 35 USC 103.

Applicant has amended Claim 1 to remove any indefiniteness in Claim 1, and removal of this ground of objection is therefore solicited.

The 35 USC 103 rejection of Claims 1, 3-5 and 7-9 is a combination of the Schoenberg reference, Chaco et al. and Zak et al.

The Examiner is invited to show where in Schoenberg is shown a computer and a display at a site remote from the hospital. In fact Schoenberg shows that all his activity takes place at a hospital.

Secondly, the Examiner is invited to show where in Schoenberg there is a wireless device.

Thirdly, the Examiner is invited to show where in Schoenberg there is uploading at all, much less from a remote site.

Fourthly, the Examiner is invited to show where in Schoenberg any critical information is given to those administering emergency assistance at a site that is remote from any hospital or emergency room.

The Examiner combines Schoenberg with Chaco et al. With respect to Chaco et al., the Examiner is invited to point out where whatever information is available in Chaco is available to emergency personnel in the field. Note, Chaco et al. relates to hospital use using an IR link, and there is no uploading from the field, much less uploading from the field to a database in real time.

With respect to the Zak et al. reference, the Examiner is invited to point out where in Zak et al. there is a wireless link to the field. The Examiner is invited to show where in Zak there is the use of the Internet. The Examiner is invited to show where in Zak there is the use of an Internet server. The Examiner is invited to show where in Zak there is a wireless connection.

It will be appreciated that in Zak et al. there is no wireless connection and therefore there is no indication that the data can be sent from the field. The Zak et al. unit is not designed to be used in the field and is not designed to be networked at all. Nowhere in Zak et al. is shown downloading capability and in fact Zak et al. is a closed private system.

Nor does the Simcox patent add anything to these teachings. Simcox involves providing prescriptions in a hospital setting.

In short, Applicant was absolutely the very first to address the needs of EMTs in the field. He was the very first to understand that there was a way of providing complete patient information in the field using wireless techniques to give EMTs sufficient and complete information to do their job.

None of the systems cited by the Examiner indicate such a facility.

Absolutely nowhere is shown the claimed uploading of information from the remote site to alert the next entity to receive the patient as to what is happening with the patient.

The Examiner is invited to look at Figure 1 of the Applicant's Patent Application and remind the Examiner of the contents of the claimed invention. The picture the Examiner is to get is that it is extremely difficult for EMTs to get information at the point at which the patient is down to be able to offer the life-saving actions that are necessary.

In short, in-hospital communication systems are completely irrelevant to the claimed subject matter and one could picture oneself with a complicated medical problem being in extremis at the front door of the Patent Office, with the EMTs having no clue as to what to do, perhaps resulting in contra-indicated therapy.

This patent deserves to see the light of day and it is Applicant's contention that the claimed subject matter is nowhere shown or taught in any of the cited references.

Note, at the time this invention was conceived, 802.11 technology was not universally available and could not be of much help in remote locations. The best people probably knew about was SMS, which is a severely limited data transmission technique unsuitable for the claimed invention.

Thus it would not be obvious at the time this invention was made to connect EMTs to hot spots (which did not exist at the time) and get the complete patient file to the EMTs.

Allowance of the claims and issuance of the case is therefore earnestly solicited.

Respectfully submitted,



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